



W.P.(MD) No.2215 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

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P.Suruli

... Petitioner

-Vs-

1.The District Collector,
Theni District, Theni.

2.The Revenue Divisional Officer,
Uthamapalayam, Theni District.

3.The District Manager,
TASMAC, Karuvelnaickenpatti,
Theni District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents to establish the TASMAC shop at Angurpalayam Road, Cumbum, Theni District in Survey No.498/3B, Uthappuram, Uthamapalayam Taluk, Theni District and consequently, consider the representation of the petitioner dated 26.10.2023.



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For Petitioner : Mr.P.Arun Jayatram
For R1 & R2 : Mr.P.Thilak Kumar,
Government Pleader

ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.Mr.P.Thilak Kumar, learned Government Pleader accepts notice on behalf of the respondents 1 and 2. Considering the nature of order going to be passed in this Writ Petition, notice to the 3rd respondent is dispensed with.

3.According to the petitioner, earlier the 3rd respondent was running TASMACH shop in Survey No.598/3B belongs to one Parthiban. Since the same was objected by the local people, the Government has taken policy decision to decrease the TASMACH shops. Pursuant to the same, the 3rd respondent has closed the said shop. Now, the petitioner's grievance is that some private individuals are taking steps to establish TASMACH shop in the same place. Hence, he made a representation dated 26.10.2023 to the respondents. On receipt of the same, the



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2nd respondent directed the 3rd respondent to take appropriate action and send a report to him. Despite the said direction, the 3rd respondent did not take any action so far. Therefore, the petitioner is constrained to move the present Writ Petition.

4.The learned Government Pleader appearing for the respondents 1 and 2 submitted that the representation of the petitioner dated 26.10.2023 would be considered on merits and necessary orders would be passed in accordance with law.

5.Considering the said submissions made by both sides, without going into the merits of the case, we direct the 1st respondent to consider the representation of the petitioner dated 26.10.2023 and pass appropriate orders on its own merits and in accordance with law, after providing opportunity to all the parties concerned. The said exercise shall be completed as early as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition stands disposed of. No costs.

[D.K.K., J.] & [R.V., J.]

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To

1. The District Collector,
Theni District, Theni.
2. The Revenue Divisional Officer,
Uthamapalayam, Theni District.



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